

**Amendments to the Claims:**

Please amend claims 1, 3, 5-6, 8-10, 16, 22, 26, 29, 31-36, 39, 42 and 44 as indicated below.

Please cancel claims 4, 28 and 30 without prejudice.

Please add new claims 50-52 as presented below.

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (currently amended): A method of detecting the body position of a passenger in a vehicle sitting in a seat, comprising:

emitting ~~[[a]] light signal~~ signals using ~~at least one a plurality of light transmitter transmitters, wherein the light signals emitted by the light transmitters are light transmitter-~~  
individualized;

receiving the light signals using at least one light receiver disposed in an area illuminated by the light transmitters; and

drawing a conclusion regarding a posture of the passenger based on whether the a first light signal of the light signals is received by the at least one light receiver or blocked between a first of the at least one plurality of light transmitter transmitters and the at least one light receiver.

Claim 2 (original): The method as recited in claim 1 wherein the posture of the passenger includes as least one of a body inclination and a head position of the passenger.

Claim 3 (currently amended): A device for detecting the body position of a passenger in a vehicle sitting in a seat having a back rest, the device comprising:

a plurality of light transmitters disposed ~~in a height staggered fashion~~ at different heights on or in the back rest and configured to emit light signals;

at least one light receiver disposed in an area illuminated by the light transmitters and configured to receive the light signals; and

an analyzing unit configured to analyze at least one received light signal of the light signals so as to enable a conclusion to be drawn regarding a posture of the passenger based on the type or the intensity of the at least one received light signal;

wherein the light signals emitted by the light transmitters are light transmitter-individualized.

Claim 4 (canceled)

Claim 5 (currently amended): The device as recited in claim [[4]] 3 wherein the light signals emitted by the light transmitters are light transmitter-individualized by at least one of a time of light transmission and a light signal type characteristic.

Claim 6 (currently amended): The device as recited in claim 5 wherein the light signal type characteristic includes at least one of a frequency, a modulation and ~~break-make~~ pause length-to-pulse length ratio.

Claim 7 (original): The device as recited in claim 3 wherein the light transmitters are disposed in at least one row.

Claim 8 (currently amended): The device as recited in claim 7 wherein the light transmitters are spaced closer in ~~an area of the passenger's lower back~~ a lower area of the back rest than in ~~an area of the passenger's upper back~~ an upper area of the back rest.

Claim 9 (currently amended): ~~The device as recited in claim 3~~ A device for detecting the body position of a passenger in a vehicle sitting in a seat having a back rest, the device comprising:

a plurality of light transmitters disposed at different heights on or in the back rest and configured to emit light signals;

at least one light receiver disposed in an area illuminated by the light transmitters and configured to receive the light signals; and

an analyzing unit configured to analyze at least one received light signal of the light signals so as to enable a conclusion to be drawn regarding a posture of the passenger based on the type or the intensity of the at least one received light signal;

wherein the at least one light receiver is disposed at least partially in or on ~~the~~ a head restraint of the seat.

Claim 10 (currently amended): The device as recited in claim 3 wherein the at least one light receiver is disposed at least partially in or on ~~the~~ a roof liner of the vehicle.

Claim 11 (original): The device as recited in claim 3 wherein the analyzing unit is disposed on or in the seat.

Claim 12 (original): The device as recited in claim 3 wherein the analyzing unit is disposed in an area of the at least one light receiver.

Claim 13 (currently amended): The device as recited in claim 3 wherein the analyzing unit includes a memory for reference values for comparing the ~~received~~ at least one received light signal with at least one known light signal so as to determine the body ~~position~~ posture.

Claim 14 (original): The device as recited in claim 3 further comprising at least one optical element associated with the at least one light receiver.

Claim 15 (original): The device as recited in claim 14 wherein the at least one optical element includes at least one of a convex lens, an aperture, and a filter.

Claim 16 (currently amended): The device as recited in claim 3 further comprising at least one optical element associated with at least one of the light transmitters for aligning light of the emitted light signals emitted in a direction of ~~a respective one of~~ the at least one light receiver.

Claim 17 (original): The device as recited in claim 3 wherein the at least one light receiver is connected to the analyzing unit via at least one optical waveguide.

Claim 18 (original): The device as recited in claim 3 wherein at least one of the light transmitters is connected to a light source via an optical waveguide.

Claim 19 (original): The device as recited in claim 3 wherein the analyzing unit is configured to detect at least one of a body length and a back length of the passenger.

Claim 20 (original): The device as recited in claim 3 wherein the light signals include at least one of visible light and invisible light.

Claim 21 (original): The device as recited in claim 20 wherein the light signals include infrared light.

Claim 22 (currently amended): The device as recited in claim 3 wherein the at least one light ~~received~~ receiver is disposed above the light transmitters.

Claim 23 (original): The device as recited in claim 3 wherein the posture includes at least one of a body inclination and a head position of the passenger.

Claim 24 (original): The device as recited in claim 3 wherein the device is connected to an air bag deployment apparatus.

Claim 25 (original): The device as recited in claim 3 wherein the device is disposed in the vehicle.

Claim 26 (currently amended): A device for detecting the body position of a passenger in a vehicle sitting in a seat having a back rest, the device comprising:

at least one light receiver disposed in or on the back rest ~~in a height staggered fashion~~ and configured to receive light signals; ~~and~~

an analyzing unit configured to analyze at least one received light signal of the light signals so as to enable a conclusion to be drawn regarding a posture of the passenger based on the type or the intensity of the at least one received light signal; and

a plurality of light transmitters configured to emit the light signals, wherein the light signals emitted by the light transmitters are light transmitter-individualized.

Claim 27 (original): The device as recited in claim 26 wherein the posture includes at least one of a body inclination and a head position of the passenger.

Claim 28 (canceled)

Claim 29 (currently amended): The device as recited in claim ~~[[28]]~~ 26 wherein the ~~at least one~~ plurality of light transmitter transmitters is disposed above the at least one light receiver.

Claim 30 (canceled)

Claim 31 (currently amended): The device as recited in claim ~~[[30]]~~ 26 wherein the signals emitted by the ~~at least one~~ plurality of light transmitter transmitters are light transmitter-individualized by at least one of a time of light transmission and a light signal type characteristic.

Claim 32 (currently amended): The device as recited in claim 31 wherein the light signal type characteristic includes at least one of a frequency, a modulation and ~~break-make~~ pause length-to-pulse length ratio.

Claim 33 (currently amended): The device as recited in claim 26 wherein the at least one light receiver includes a plurality of light receivers disposed in at least one row at different heights.

Claim 34 (currently amended): The device as recited in claim 33 wherein the light receivers are spaced closer in ~~an area of the passenger's lower back~~ a lower area of the back rest than in ~~an area of the passenger's upper back~~ an upper area of the back rest.

Claim 35 (currently amended): ~~The device as recited in claim 28~~ A device for detecting the body position of a passenger in a vehicle sitting in a seat having a back rest, the device comprising:

at least one light receiver disposed in or on the back rest in a height-staggered fashion and configured to receive light signals;

at least one light transmitter disposed in a receiving area defined by the at least one light receiver and configured to emit the light signals; and

an analyzing unit configured to analyze at least one received light signal of the light signals so as to enable a conclusion to be drawn regarding a posture of the passenger based on the type or the intensity of the at least one received light signal;

wherein the at least one light transmitter is disposed at least partially in or on the head restraint.

Claim 36 (currently amended): The device as recited in claim ~~[[28]]~~ 26 wherein the ~~at least one plurality of light transmitter transmitters~~ transmitters ~~[[is]]~~ are disposed at least partially in or on ~~the a roof liner of the vehicle.~~

Claim 37 (original): The device as recited in claim 26 wherein the analyzing unit is disposed on or in the seat.

Claim 38 (original): The device as recited in claim 26 wherein the analyzing unit is disposed in an area of the at least one light receiver.

Claim 39 (currently amended): The device as recited in claim 26 wherein the analyzing unit includes a memory for reference values for comparing the ~~received~~ at least one received light signal with at least one known light signal so as to determine the body ~~position~~ posture.

Claim 40 (original): The device as recited in claim 26 further comprising at least one optical element associated with the at least one light receiver.

Claim 41 (original): The device as recited in claim 40 wherein the at least one optical element includes at least one of a convex lens, an aperture, and a filter.

Claim 42 (currently amended): The device as recited in claim ~~[[28]]~~ 26 further comprising at least one optical element associated with the ~~at least one plurality of light transmitter transmitters~~ transmitters for aligning light of the emitted light signals emitted in a direction of ~~a respective one of the at least one light receiver.~~

Claim 43 (original): The device as recited in claim 26 wherein the at least one light receiver is connected to the analyzing unit via at least one optical waveguide.

Claim 44 (currently amended): The device as recited in claim [[28]] 26 wherein the at least ~~one~~ plurality of light transmitter transmitters is connected to a light source via an optical waveguide.

Claim 45 (original): The device as recited in claim 26 wherein the analyzing unit is configured to detect at least one of a body length and a back length of the passenger.

Claim 46 (original): The device as recited in claim 26 wherein the light signals include at least one of visible light and invisible light.

Claim 47 (original): The device as recited in claim 46 wherein the light signals include infrared light.

Claim 48 (original): The device as recited in claim 26 wherein the device is connected to an air bag deployment apparatus.

Claim 49 (original): The device as recited in claim 26 wherein the device is disposed in the vehicle.

Claim 50 (new): The method as recited in claim 1 wherein the plurality of light transmitters are disposed at different heights and the drawing the conclusion is performed based on the respective height of the first light transmitter.

Claim 51 (new): The device as recited in claim 3 wherein the analyzing unit is configured to analyze the at least one received light signal so as to enable the conclusion to be drawn regarding the posture of the passenger based on the respective height of the respective light transmitter corresponding to each of the at least one received light signal.

Claim 52 (new): The device as recited in claim 33 wherein the analyzing unit is configured to analyze the at least one received light signal so as to enable the conclusion to

be drawn regarding the posture of the passenger based on the respective height of the respective light receiver receiving each of the at least one received light signal.